

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
JONATHAN FLEISIG and CONDOR ALPHA	:	
ASSET MANAGEMENT,	:	
	:	19cv8217 (DLC)
Plaintiffs,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
ED&F MAN CAPITAL MARKETS, INC.,	:	
	:	
Defendant.	:	
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DENISE COTE, District Judge:

A bench trial is scheduled to commence on **June 28, 2021**.
The final pretrial conference is scheduled to occur on **June 23, 2021 at 11 am**. It is hereby

ORDERED that the trial shall proceed in person in Courtroom 18B, 500 Pearl Street, on **June 28 at 9:30 am**. It is hereby

ORDERED that the following procedures shall govern the conduct of the trial. The parties shall ensure that all trial participants comply with the Southern District of New York's Sixth Amended Standing Order entitled In re Coronavirus/COVID-19 Pandemic(M-10-468), entered May 4, 2021, and other SDNY COVID-19-related orders that govern entry into and behavior within SDNY courthouses. These materials may be found at:
<https://www.nysd.uscourts.gov/covid-19-coronavirus>.

IT IS FURTHER ORDERED that all individuals must practice social distancing at all times in the courthouse. Individuals also must wear either **one N95 mask** or **two face masks** that cover the person's nose and mouth at all times in the courthouse unless the Court authorizes their removal. Bandannas, gaiters, and masks with valves are not permitted.

IT IS FURTHER ORDERED that by **June 22 at 5 pm**, the parties must advise the Court of how many spectators will attend the proceeding. The parties must advise the Court by the same date how many individuals will be seated at counsel's tables. Special accommodations may need to be made if more than ten spectators are expected to attend, or more than three individuals are expected to be seated at each counsel's table.

IT IS FURTHER ORDERED that all witnesses must be present in Courtroom 18B, 500 Pearl Street by **9:30 a.m. on June 28**.

IT IS FURTHER ORDERED that parties are responsible for informing themselves of any modifications to SDNY COVID-19-related rules and procedures and adhering to all current rules and procedures for the duration of the trial.

IT IS FURTHER ORDERED that the parties are responsible for bringing these procedures to the attention of their witnesses and any other persons they expect to attend the trial.

IT IS FURTHER ORDERED that the parties shall attempt to have documents to be used at trial, including trial exhibits, in electronic form. Due to the pandemic, counsel should make every effort to avoid the exchange of documents in paper form during the trial. Therefore, exhibits should be pre-marked and assembled sequentially in a digital folder labelled with the exhibit numbers for ready reference and be ready to be distributed digitally to the Court, counsel, and witnesses during the trial.

IT IS FURTHER ORDERED that counsel shall call this Court's Chambers to schedule a time to come to the courthouse to arrange for the presentation of digital evidence during the trial with this courthouse's IT Department.

IT IS FURTHER ORDERED that counsel should make certain that they have custody of all original exhibits. The Court does not retain them, and the Clerk is not responsible for them.

IT IS FURTHER ORDERED that the parties should be aware that, unless otherwise appropriate, the Court will assume that any material portion of a witness's deposition will be used during cross-examination of that witness.

Counsel are advised that this Court's Revised Standing Order M10-468 of February 26, 2014 prohibits all personal electronic devices and general purpose computing devices except

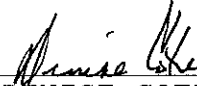
by written permission of the presiding judge. Counsel are further advised that such devices may not be connected to the Court's computer network under any circumstances.

Accordingly, it is hereby

ORDERED that by **June 22**, counsel shall fill out the attached form and send it to this Court's Chambers email inbox at Cotenysdchambers@nysd.uscourts.gov to request permission to bring any personal electronic devices or general purpose computing devices into the courthouse.

SO ORDERED:

Dated: New York, New York
May 13, 2021



DENISE COTE
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF AN APPLICATION
TO BRING PERSONAL ELECTRONIC DEVICE(S)
OR GENERAL PURPOSE COMPUTING DEVICE(S)
INTO THE COURTHOUSES OF THE
SOUTHERN DISTRICT OF NEW YORK
FOR USE IN A PROCEEDING OR TRIAL

x

The following Order is subject to the definitions, obligations and restrictions imposed pursuant to Standing Order M10-468, as Revised. Upon submission of written application to this Court, it is hereby

ORDERED that the following attorney(s) are authorized to bring the Personal Electronic Device(s) and/or the General Purpose Computing Device(s) (collectively, "Devices") listed below into the Courthouse for use in a proceeding or trial in the action

captioned _____
_____, No. _____.

The date(s) for which such authorization is provided is (are) _____.

Attorney	Device(s)
1.	
2.	
3.	

(Attach Extra Sheet If Needed)

The attorney(s) identified in this Order must present a copy of this Order when entering the Courthouse. Bringing any authorized Device(s) into the Courthouse or its Environs constitutes a certification by the attorney that he or she will comply in all respects with the restrictions and obligations set forth in Standing Order M10-468, as Revised.

SO ORDERED:

Dated: _____

United States Judge